

§ 885. Supervision of construction, etc.

(a) All construction, expansion, rehabilitation, or conversion of facilities pursuant to the provisions of this chapter may be performed under the supervision of the Chief, Corps of Engineers, or the Chief, Bureau of Yards and Docks.

(b) All construction, expansion, rehabilitation, or conversion of facilities in each State pursuant to subsection (b) or (c) of section 882 of this title shall be done in accordance with the laws of such State and under the supervision of officials of such State, subject to the inspection and approval of the Secretary of Defense. (As amended Aug. 9, 1955, ch. 662, § 1 (f), 69 Stat. 594.)

Repealed, except as affected by amendments subsequent to Mar. 31, 1955, by act Aug. 10, 1956, ch. 1041 § 53, 70A Stat. 641. See § 2237 of Title 10, Armed Forces.

AMENDMENTS

1955—Act Aug. 9, 1955, amended section by designating existing provisions thereof as subsec. (a), and by adding subsec. (b).

§ 886. Definitions.

(b) "Armory" means a structure which houses a unit or units of a reserve component and is used for the training and administration thereof, including such appurtenant structures as may house equipment used in the training and administration of such unit or units. All other facilities shall be considered nonarmory for the purposes of this chapter;

(c) "State" includes (1) any State or Territory of the United States, any political subdivision thereof, any tax-supported agency therein, or any military unit situated therein; (2) Puerto Rico; and (3) the District of Columbia;

(d) "Reserve component" shall include:

- (1) The National Guard of the United States;
- (2) The Army Reserve;
- (3) The Naval Reserve;
- (4) The Marine Corps Reserve;
- (5) The Air National Guard of the United States;
- (6) The Air Force Reserve; and
- (7) The Coast Guard Reserve; and

(e) "joint utilization" shall mean the occupancy or use of any facility by units of two or more Reserve components of the Armed Forces of the United States. (As amended Aug. 9, 1955, ch. 662, § 1 (g), (h), 69 Stat. 594.)

Repealed, except as affected by amendments subsequent to Mar. 31, 1955, by act Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641. See § 2232 of Title 10, Armed Forces.

AMENDMENTS

1955—Act Aug. 9, 1955, amended section by redesignating subsecs. (b)—(d) as subsecs. (c)—(e), respectively, by adding subsec. (b) which defines "armory", and by redefining the reserve components in subsec. (d), as redesignated.

§ 887. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

Section, act Sept. 11, 1950, ch. 945, § 8, 64 Stat. 832, authorized appropriations to carry out the purposes of this chapter.

Chapter 25.—ARMED FORCES RESERVE

SUBCHAPTER II.—RESERVE COMPONENT GENERALLY

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SUBCHAPTER I.—GENERAL PROVISIONS

§§ 901—905. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

Section 901, act July 9, 1952, ch. 608, Pt. I, § 101, 66 Stat. 481, defined terms used in this chapter, and is now covered by sections 101 and 276 of Title 10, Armed Forces.

Sections 902—905, act July 9, 1952, ch. 608, Pt. VIII, §§ 809—812, 66 Stat. 509, related to savings provisions for laws relating to appointment in reserve components, accrued rights, authority to order reservists to active duty, responsibilities and functions of Chief of the National Guard Bureau, and to retroactive pay.

SUBCHAPTER II.—RESERVE COMPONENT GENERALLY

PART 1. PURPOSE AND GENERAL ORGANIZATION

§§ 921—924. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

Section 921, act July 9, 1952, ch. 608, Pt. II, § 201, 66 Stat. 482, stated the purpose of the reserve components, and provided for the maintenance of National Guard and Air National Guard, and is now covered by sections 262 and 263 of Title 10, Armed Forces, and section 102 of Title 32, National Guard.

Section 922, act July 9, 1952, ch. 608, Pt. II, § 202, 66 Stat. 482, enumerated the reserve components, and is now covered by section 261 of such Title 10.

Section 923, act July 9, 1952, ch. 608, Pt. II, § 203, 66 Stat. 483, provided for the maximum numerical strength of the reserve components, and is now covered by sections 3221, 3224, 4513, 8221, and 8224 of Title 10, Armed Forces, and section 752a of Title 14, Coast Guard.

Section 924, act July 9, 1952, ch. 608, Pt. II, § 204, 66 Stat. 483, provided for the composition of reserve components, and is now covered by section 267 of such Title 10.

§ 925. Ready Reserve; composition; maximum strength.

(b) The authorized aggregate personnel strength of the Ready Reserve shall not exceed a total of two million nine hundred thousand. Until July 1, 1957, this total shall not include any person who has a reserve obligation on August 9, 1955 whenever such person is not participating satisfactorily in an accredited training program in the Ready Reserve, as prescribed by the appropriate Secretary. (As amended Aug. 9, 1955, ch. 665, § 2 (a), 69 Stat. 598.)

Repealed, except as affected by amendments subsequent to Mar. 31, 1955, by act Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641. See § 268 of Title 10, Armed Forces.

AMENDMENTS

1955—Subsec. (b) amended by act Aug. 9, 1955, to increase the personnel strength of the Ready Reserve from 1,500,000 to 2,900,000, which total is not to include persons who had a reserve obligation on August 9, 1955 and who were not participating in an accredited training program.

SHORT TITLE

Congress, in enacting act Aug. 9, 1955, which amended this section and sections 928 (f)—(j), 961 (a), (b) (1), and (h) of this title, enacted sections 1011—1014 of this title, and amended sections 454 (d) and 456 (c), (d) of Appendix to this title, provided by section 1 of such Act that such amendments and enactments should be popularly known as the "Reserve Forces Act of 1955".

§§ 926, 927. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

Section 926, act July 9, 1952, ch. 608, Pt. II, § 206, 66 Stat. 483, related to the Standby Reserve, its composition, and for ordering units to active duty, and is now covered by sections 273 and 674 of Title 10, Armed Forces.

Section 927, act July 9, 1952, ch. 608, Pt. II, § 207, 66 Stat. 483, related to the Retired Reserve, its composition, establishment of reserve retired lists, ordering members into active duty, and is now covered by sections 274, 675, and 1376 of such Title 10.

§ 928. Ready Reserve.

(f) Training duty; extension of membership.

Except as specifically provided by regulations prescribed by the Secretary of Defense (or the Secretary of the Treasury with respect to the United States Coast Guard), (1) each person inducted, enlisted, or appointed in any armed force of the United States or any component thereof under any provision of law after August 9, 1955 who becomes a member of the Ready Reserve by reason of any provision of law other than subsection (c) of this section, and (2) each person who after August 9, 1955 becomes a member of the Ready Reserve under section 1014 of this title, shall be required, while a member of the Ready Reserve, to (A) participate in not less than forty-eight scheduled drills or training periods, and to perform not more than seventeen days of active duty for training, during each year, or (B) perform annually not more than thirty days of active duty for training. Any such member of the Ready Reserve (except any member enlisted

therein under section 456 (c) (2) (C) of Appendix to this title) who in any year fails to perform such training duty satisfactorily, as determined by the appropriate Secretary pursuant to regulations prescribed by the Secretary of Defense, may be ordered, without his consent, to perform additional active duty for training for not more than forty-five days. If such failure occurs during the final year of any period of obligatory membership in the Ready Reserve, such membership shall be extended for such time, not exceeding six months, as may be required for the performance by such member of such additional active duty for training.

(g) Transfer to Standby Reserve; conditions.

Except in time of war or national emergency hereafter declared by the Congress, any member of the reserve components who is not serving on active duty in the Armed Forces of the United States shall, upon his request, be transferred to the Standby Reserve for the remainder of his term of service—

(1) if he has served on active duty in the Armed Forces of the United States for not less than a total of five years;

(2) if he (A) has served on active duty in the Armed Forces of the United States for not less than twelve months, and has served satisfactorily as a member of a unit of the Ready Reserve pursuant to a transfer made under section 1014 (a) of this title for a period which, when added to the period of his active duty, totals four years, or (B) has satisfactorily completed an enlistment under section 1014 (b) of this title;

(3) if, having served on active duty in the Armed Forces of the United States for a total of less than five years, he has satisfactorily participated, as determined by the appropriate Secretary, in an accredited training program in the Ready Reserve for a period which when added to his period of active duty in the Armed Forces of the United States totals not less than five years or such lesser period of time as the appropriate Secretary (with the approval of the Secretary of Defense in the case of a Secretary of a Military Department) may prescribe in the case of satisfactory participation in such accredited training programs as the appropriate Secretary may designate;

(4) if he has served on active duty in the Armed Forces of the United States for not less than twelve months between December 7, 1941, and September 2, 1945, and, in addition thereto, has served on active duty in the Armed Forces of the United States for not less than twelve months subsequent to June 25, 1950; or

(5) if he has served as a member of one or more reserve components subsequent to September 2, 1945, for not less than eight years.

(h) Same; conditions governing National Guard and Air National Guard.

No member of the National Guard of the United States or Air National Guard of the United States shall be transferred to the Standby Reserve without the consent of the governor or other appropriate authority of the State, Territory, or District of Columbia concerned.

(i) Same; agreement for stated period of service.

Subsection (f) of this section shall not apply to any member of the reserve components in the Ready Reserve while serving under an agreement to remain therein for a stated period.

(j) Application for transfer to Standby or Retired Reserve.

Subject to subsection (g) of this section, any member of the reserve components in the Ready Reserve may be transferred into the Standby Reserve, or into the Retired Reserve if qualified and if he makes application therefor, in accordance with such regulations as the appropriate Secretary (with the approval of the Secretary of Defense in the case of a Secretary of a Military Department) may prescribe.

(k) Screening of units and members.

Under regulations prescribed by the President, each Armed Force of the United States shall provide a system of continuous screening of units and members of the Ready Reserve to insure that—

(1) no significant attrition will occur to those members or units during a mobilization;

(2) there will be a proper balance of military skills;

(3) members of the Reserve Forces possessing critical civilian skills will not be retained in numbers beyond the requirements for those skills except for persons who have military skills for which there is an overriding requirement;

(4) with due respect to national security and military requirements, recognition is given to participation in combat; and

(5) members of the Reserve Forces whose mobilization in an emergency would result in extreme personal or community hardship are not retained in the Ready Reserve.

(l) Transfer from Standby Reserve to Ready Reserve.

Under regulations prescribed by the Secretary of Defense (or the Secretary of the Treasury with respect to the United States Coast Guard), any member of the Standby Reserve who has not completed his obligated period of military service in the Ready Reserve may be transferred to the Ready Reserve whenever the reason for his transfer to the Standby Reserve no longer exists. (As amended Aug. 9, 1955, ch. 665, § 2 (b)—(d), 69 Stat. 598, 599.)

Repealed, except as affected by amendments subsequent to Mar. 31, 1955, by act Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641. See § 269 of Title 10, Armed Forces.

REFERENCES IN TEXT

Subsection (f) of this section, referred to in subsecs. (a) and (i), should, due to the redesignation of the subsections by act Aug. 9, 1955, probably refer to subsection (g) of this section.

Subsection (g) of this section, referred to in subsec. (j), should, due to the redesignation of the subsections by act Aug. 9, 1955, probably refer to subsection (h) of this section.

AMENDMENTS

1955—Subsec. (f) added by act Aug. 9, 1955, § 2 (b), which also redesignated former subsec. (f) as subsec. (g).

Subsec. (g), formerly subsec. (f), redesignated (g) and amended by act Aug. 9, 1955, § 2 (b), (c), which also

redesignated pars. (2)—(4) as (3)—(5), respectively, and added par. (2).

Subsecs. (h)—(j), formerly subsecs. (g)—(i), so redesignated by act Aug. 9, 1955, § 2 (b).

Subsecs. (k) and (l) added by act Aug. 9, 1955, § 2 (d).

EX. ORD. NO. 10651. SCREENING OF THE READY RESERVE

Ex. Ord. No. 10651, Jan. 9, 1956, 21 F. R. 169, provided: By virtue of authority vested in me by section 208 of the Armed Forces Reserve Act of 1952, as amended by the Reserve Forces Act of 1955 (66 Stat. 481; 69 Stat. 598) [this section] and section 301 of Title 3, U. S. Code, I hereby prescribe the following regulations for continuously screening units and members of the Ready Reserve:

1. Members of the Ready Reserve who do not meet age requirements or standards of fitness prescribed for active duty assignments by the Service concerned shall be transferred to the Standby Reserve, upon application placed in the Retired Reserve if qualified, or discharged, as appropriate.

2. The following members of the Ready Reserve shall be transferred to the Standby Reserve unless they execute a written agreement to remain in the Ready Reserve for a minimum period of one year:

(a) Those who have fulfilled their Ready Reserve obligations.

(b) The following elective and appointive officials:

(1) The Vice President of the United States; members of the Cabinet and other Presidential appointees requiring Senate confirmation.

(2) The Governors of the several states, Territories and possessions.

(3) Members of the legislative bodies of the United States, and of the several states, Territories or possessions.

(4) Judges of the courts of record of the United States and of the several states, Territories and possessions, and the District of Columbia.

(5) All other officials chosen by the voters of an entire state, Territory or possession.

3. Members of the Ready Reserve whose call to active duty in an emergency would result in extreme personal or community hardship as defined by the Secretary of Defense (and the Secretary of the Treasury with respect to the United States Coast Guard) shall, upon request, be transferred to the Standby Reserve.

4. Except as hereinafter provided by this paragraph, there shall be transferred to the Standby Reserve, in such numbers as are in excess of the requirements of the Ready Reserve, those members of the Ready Reserve who are principally engaged or employed in critical civilian occupations which are on the List of Critical Occupations for Screening the Ready Reserve issued by the Secretary of Labor. No person shall be transferred hereunder (a) who possesses a critical military skill as determined by the Secretary of Defense (and the Secretary of the Treasury with respect to the United States Coast Guard), or (b) who volunteers to remain in the Ready Reserve and executes a written agreement to remain in such reserve for a minimum period of one year.

5. The Secretary of Defense (and the Secretary of the Treasury with respect to the United States Coast Guard) may provide for the transfer from the Ready to the Standby Reserve of individuals undergoing apprenticeship training or pursuing academic studies that will qualify them for critical civilian skills.

6. The following members of the Ready Reserve not otherwise provided for herein shall be transferred to the Standby Reserve:

(a) Individuals who possess military skills in excess of requirements to maintain a proper balance of such skills in the Ready Reserve. Due consideration shall be given to maintaining a proper distribution within the grade, rank, and rate structure of the Ready Reserve.

(b) Individuals who are not immediately available for active duty, as determined by the Service concerned, for reasons not otherwise specified herein.

7. In selecting members of the Ready Reserve to be transferred to the Standby Reserve who are otherwise equally eligible for transfer under the criteria established herein, the Service concerned shall accord preference for transfer in the following order: (a) those who have par-

ticipated in combat; and (b) those with the least remaining obligated service in the Ready Reserve.

8. Pursuant to section 208 (1) of the Armed Forces Reserve Act of 1952, as amended by the Reserve Forces Act of 1955 [subsection (1) of this section], any member of the Standby Reserve who has not completed his obligated period of military service in the Ready Reserve may be transferred to the Ready Reserve, under regulations prescribed by the Secretary of Defense (or the Secretary of the Treasury with respect to the United States Coast Guard), whenever the reason for his transfer to the Standby Reserve no longer exists.

9. Transfers to the Standby Reserve, discharges and transfers to a retired status of members of the National Guard of the United States and the Air National Guard of the United States, as a result of screening procedures, shall be made in consonance with the Armed Forces Reserve Act of 1952, as amended [this chapter].

10. The Secretary of Defense (and the Secretary of the Treasury with respect to the United States Coast Guard) shall make periodic reports to the President concerning the screening of the Ready Reserve in order that such screening may be evaluated in relation to overall manpower mobilization requirements.

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§§ 929—935. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

Section 929, act July 9, 1952, ch. 608, Pt. II, § 209, 66 Stat. 484, related to transferees, enlistment or appointment in Armed Forces, and is now covered by sections 512 and 595 of Title 10, Armed Forces.

Section 930, act July 9, 1952, ch. 608, Pt. II, § 210, 66 Stat. 485, related to the composition of the Standby Reserve, and is now covered by section 267 of such Title 10.

Section 931, act July 9, 1952, ch. 608, Pt. II, § 211, 66 Stat. 485, provided for inactive status list in the Standby Reserve, regulations governing transfer, limitation on benefits, and is now covered by sections 273 and 1334 of such Title 10.

Section 932, act July 9, 1952, ch. 608, Pt. II, § 212, 66 Stat. 485, prescribed the status of members of reserve components, and is now covered by section 267 of such Title 10.

Section 933, act July 9, 1952, ch. 608, Pt. II, § 213, 66 Stat. 485, related to retention of status of members of reserve components, and to honorary status.

Section 934, act July 9, 1952, ch. 608, Pt. II, § 214, 66 Stat. 485, related to training categories for each reserve component, and is now covered by section 2001 of Title 10, Armed Forces.

Section 935, act July 9, 1952, ch. 608, Pt. II, § 215, 66 Stat. 486, provided for officer candidates and for distribution of personnel in various ranks and grades, and is now covered by sections 3221, 3224, 5956, 8221, and 8224 of Title 10, Armed Forces, and section 752a of Title 14, Coast Guard.

§ 936. Repealed. Sept. 3, 1954, ch. 1257, title VII, § 702 (d), 68 Stat. 1189.

Section, act July 9, 1952, ch. 608, part II, § 216, 66 Stat. 486, related to promotion and precedence and is now covered by chapter 27 of this title.

ADDITIONAL REPEAL

Section was also repealed by act Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

PART 2. APPOINTMENTS AND ENLISTMENTS

§ 941. Qualifications.

(h) Women.

Subject to section 946 (a) of this title and if otherwise qualified, women may be appointed as Reserve officers of the Army or Air Force for service as nurses or medical specialists in the National Guard of the United States or Air National Guard of the

United States, as appropriate. Women may be appointed or enlisted as Reserves in the Armed Forces of the United States for service in the Army Reserve, the Naval Reserve, the Marine Corps Reserve, and the Air Force Reserve. Women are appointed or enlisted in the grades, ranks, and rating authorized for women in the Regular component of the appropriate Armed Force of the United States. Women may be appointed or enlisted in the Coast Guard Reserve as provided in section 762 of Title 14. Any female former officer or enlisted woman of an Armed Force of the United States may, if otherwise qualified, be appointed or enlisted as a Reserve in that Armed Force of the United States in the highest rank, grade, or rating satisfactorily held by her on active duty.

(As amended July 30, 1956, ch. 789, § 4 (a), 70 Stat. 729.)

Repealed, except as affected by amendments subsequent to Mar. 31, 1955, by act Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641. See §§ 510, 591 and 594 of Title 10, Armed Forces.

AMENDMENTS

1956—Subsec. (b) amended by act July 30, 1956, to permit appointment as Reserve officers of the Army or Air Force for service as nurses or medical specialists in the National Guard or Air National Guard.

CROSS REFERENCES

Physicians, dentists, and allied specialists inducted in Armed Forces, appointment to grade or rank commensurate with education, experience or ability notwithstanding subsection (c) of this section, see section 454a (a) of Appendix to this title.

§§ 942—956. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

Section 942, act July 9, 1952, ch. 608, § 218, 66 Stat. 487, authorized the President, by and with the advice and consent of the Senate, to make appointments to general or flag officer grade, and is now covered by section 593 of Title 10, Armed Forces.

Section 943, act July 9, 1952, ch. 608, Pt. II, § 219, 66 Stat. 487, authorized the President to make appointments in commissioned grades below general or flag officer grades, and is now covered by section 593 of such Title 10.

Section 944, act July 9, 1952, ch. 608, Pt. II, § 220, 66 Stat. 487, related to appointments in warrant officer grades, and is now covered by section 597 of such Title 10.

Section 945, act July 9, 1952, ch. 608, Pt. II, § 221, 66 Stat. 487, related to tenure of appointments of commissioned officers, and is now covered by section 593 of such Title 10.

Section 946, act July 9, 1952, ch. 608, Pt. II, § 222, 66 Stat. 487, provided for a common Federal appointment for officers, and is now covered by section 591 (a) of such Title 10.

Section 947, act July 9, 1952, ch. 608, Pt. II, § 223, 66 Stat. 487, prescribed tenure of appointments of warrant officers, and is now covered by section 597 of such Title 10.

Section 948, act July 9, 1952, ch. 608, Pt. II, § 224, 66 Stat. 487, provided for indefinite term of appointment, conversion of appointments and enlistments, and is now covered by sections 593 and 597 of Title 10, Armed Forces, and note set out under such section 593.

Section 949, act July 9, 1952, ch. 608, Pt. II, § 225, 66 Stat. 488, provided for physical examinations, and is now covered by section 1004 of such Title 10.

Section 950, act July 9, 1952, ch. 608, Pt. II, § 226, 66 Stat. 488, provided for the discharge or transfer of physically disqualified personnel, and is now covered by section 1004 of such Title 10.

Section 951, act July 9, 1952, ch. 608, Pt. II, § 227, 66 Stat. 488, related to term of enlistment, and is now covered by section 511 of such Title 10.

Section 952, act July 9, 1952, ch. 608, Pt. II, § 228, 66 Stat. 488, related to common Federal enlistments, and is now covered by sections 510, 3261, and 8261 of such Title 10.

Section 953, act July 9, 1952, ch. 608, Pt. II, § 229, 66 Stat. 488, prohibited dual membership in reserve components, and is now covered by section 261 (b) of such Title 10.

Section 954, act July 9, 1952, ch. 608, Pt. II, § 230, 66 Stat. 489, related to enlisted personnel as officer candidates, and is now covered by section 600 of such Title 10.

Section 955, act July 9, 1952, ch. 608, Pt. II, § 231, 66 Stat. 489, related to the age limitation for officers, and is now covered by section 1003 of such Title 10.

Section 956, act July 9, 1952, ch. 608, Pt. II, § 232, 66 Stat. 489, authorized the appointment or enlistment of limited-service personnel, and is now covered by sections 510 and 591 of such Title 10.

PART 3. DUTY AND RELEASE FROM DUTY

§ 961. Members liable for active duty—(a) Congressional authorization.

In time of war or national emergency hereafter declared by the Congress, or when otherwise authorized by law, any unit and the members thereof, or any member not assigned to a unit organized for the purpose of serving as such, of any reserve component may, by competent authority, be ordered to active duty for the duration of the war or national emergency and for six months thereafter, but members on an inactive status list or in a retired status shall not be ordered to active duty without their consent unless the appropriate Secretary (with the approval of the Secretary of Defense in the case of a Secretary of a Military Department) determines that adequate numbers of qualified members of the reserve components in an active status or in the inactive National Guard in the required category are not readily available. No member of the Standby Reserve may be ordered to active duty under this subsection until the Director of Selective Service has determined that such member is available for active duty.

(b) Limitation on recall to active duty; promulgation of policies and procedures; report.

(1) In time of national emergency hereafter proclaimed by the President or when otherwise authorized by law, any unit and the members thereof, or any member not assigned to a unit organized for the purpose of serving as such, in the Ready Reserve of any reserve component may, by competent authority, be ordered to and required to perform active duty involuntarily for a period not to exceed twenty-four consecutive months: *Provided*, That not more than one million members of the Ready Reserve of all reserve components may be required to perform active duty involuntarily at any time unless the Congress shall have authorized the exercise of the authority contained in this subsection with respect to a larger number.

* * * * *

(h) Ministers of Religion.

Under such regulations as the Secretary of Defense shall prescribe any person who, while a mem-

ber of a reserve component, becomes a regular or duly ordained minister of religion shall be entitled upon his request to a discharge from the reserve component of which he is a member. No member of any reserve component shall be required to serve on active duty, or to participate in active training and service, active duty for training, or inactive duty training, while preparing for the ministry in a recognized theological or divinity school. (As amended Aug. 9, 1955, ch. 665, § 2 (e)—(g), 69 Stat. 599.)

Repealed, except as affected by amendments subsequent to Mar. 31, 1955, by act Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641. See §§ 672, 673 and 677 of Title 10, Armed Forces.

AMENDMENTS

1955—Subsec. (a) amended by act Aug. 9, 1955, § 2 (e), to provide that no member of the Standby Reserve may be ordered to active duty until the Director of Selective Service determines his availability.

Subsec. (b) (1) amended by act Aug. 9, 1955, § 2, (f), to authorize the recall of up to one million members of the Ready Reserve without specific approval of Congress.

Subsec. (h) added by act Aug. 9, 1955, § 2 (g).

CROSS REFERENCES

Physicians, dentists, and allied specialists—authority to order to active duty under section 454a (c) of Appendix to this title not to be construed as affecting or limiting authority to order members of reserve components to active duty under this section, see section 454a (d) of such Appendix.

Training period for determining eligibility for benefits. See section 1015 of this title.

§§ 962—967. *Repealed.* Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

Section 962, act July 9, 1952, ch. 608, Pt. II, § 234, 66 Stat. 490, related to active duty in connection with Reserve training and administration, and is now covered by sections 672 and 678 of Title 10, Armed Forces.

Section 963, act July 9, 1952, ch. 608, Pt. II, § 235, 66 Stat. 491, provided for active duty agreements, involuntary release, obligation to serve full term, prior obligated or involuntary service, uniformity of agreements, and is now covered by sections 679 and 680 of such Title 10.

Section 964, act July 9, 1952, ch. 608, Pt. II, § 236, 66 Stat. 491, provided for continuation of active duty, and is now covered by section 679 of such Title 10.

Section 965, act July 9, 1952, ch. 608, Pt. II, § 237, 66 Stat. 492, authorized detail or assignment to duties authorized for regulars, and is now covered by section 682 of such Title 10.

Section 966, act July 9, 1952, ch. 608, Pt. II, § 238, 66 Stat. 492, related to maintenance of Reserve forces in time of partial mobilization, and is now covered by section 276 of such Title 10.

Section 967, act July 9, 1952, ch. 608, Pt. II, § 239, 66 Stat. 492, provided for release from active duty, and is now covered by section 681 of such Title 10.

PART 4. PAY, ALLOWANCES, AND BENEFITS

§§ 971—975. *Repealed.* Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

Section 971, act July 9, 1952, ch. 608, Pt. II, § 240, 66 Stat. 492, provided for active duty with or without pay, and is now covered by section 683 of Title 10, Armed Forces.

Section 972, act July 9, 1952, ch. 608, Pt. II, § 241, 66 Stat. 492, related to pay and allowances of persons retained beyond the term of service, and is now covered by section 683 of such Title 10.

Section 973, act July 9, 1952, ch. 608, Pt. II, § 242, 66 Stat. 492, related to pay for officer candidates, and is now covered by section 600 of such Title 10.

Section 974, act July 9, 1952, ch. 608, Pt. II, § 243, 66 Stat. 492, related to uniform allowances, and is now covered by sections 255 and 256 of Title 37, Pay and Allowances.

Section 975, act July 9, 1952, ch. 608, Pt. II, § 245, 66 Stat. 494, provided for continuation of existing benefits.

PART 5. CIVIL EMPLOYMENT

§§ 981, 982. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

Section 981, act July 9, 1952, ch. 608, Pt. II, § 246, 66 Stat. 495, related to the civil status of reservists, and is now covered by section 30r of Title 5, Executive Departments and Government Officers and Employees.

Section 982, act July 9, 1952, ch. 608, Pt. II, § 247, 66 Stat. 495, authorized members of the reserve components to accept employment with and compensation from any foreign government or any concern which is controlled in whole or in part by a foreign government, and is now covered by section 1032 of Title 10, Armed Forces.

PART 6. SEPARATION

§§ 991, 992. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

Section 991, act July 9, 1952, ch. 608, Pt. II, § 248, 66 Stat. 495, provided for the discharge of commissioned officers and other members of the reserve components, and is now covered by section 1162 of Title 10, Armed Forces.

Section 992, act July 9, 1952, ch. 608, Pt. II, § 249, 66 Stat. 495, related to limitation on discharges, dropping from rolls, and character of discharge, and is now covered by section 1163 of such Title 10.

PART 7. ADMINISTRATION

§§ 1001—1010. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

Section 1001, act July 9, 1952, ch. 608, Pt. II, § 250, 66 Stat. 495, prohibited discrimination between Regulars and reserve components, and is now covered by section 277 of Title 10, Armed Forces.

Section 1002, act July 9, 1952, ch. 608, Pt. II, § 251, 66 Stat. 495, authorized the Secretaries of the Army, Navy, Air Force, and the Treasury, to make and publish regulations, and is now covered by section 290 of Title 10, Armed Forces, and section 255 of Title 37, Pay and Allowances.

Section 1003, act July 9, 1952, ch. 608, Pt. II, § 252, 66 Stat. 496, provided for reserve participation in administration of policy and regulations, and is now covered by section 265 of such Title 10.

Section 1004, act July 9, 1952, ch. 608, Pt. II, § 253, 66 Stat. 496, related to support of the reserve components, and is now covered by section 715 of such Title 10.

Section 1005, act July 9, 1952, ch. 608, Pt. II, § 254, 66 Stat. 496, related to boards, membership of boards, seniority, and is now covered by section 266 of such Title 10.

Section 1006, act July 9, 1952, ch. 608, Pt. II, § 255, 66 Stat. 496, related to availability of supplies, equipment, and facilities, and is now covered by section 2511 of such Title 10.

Section 1007, act July 9, 1952, ch. 608, Pt. II, § 256, 66 Stat. 496, provided for responsibility for Reserve affairs, and is now covered by section 264 of such Title 10.

Section 1008, act July 9, 1952, ch. 608, Pt. II, § 257 (a—d), 66 Stat. 497, related to the creation, composition and representation on the Reserve Forces Policy Board, provided that the Board should be the principal policy adviser to the Secretary of Defense, and is now covered by section 1750 of Title 10, Armed Forces. Subsec. (e) has been transferred to section 171a-1 of Title 5, Executive Departments and Government Officers and Employees.

Section 1009, act July 9, 1952, ch. 608, Pt. II, § 258, 66 Stat. 498, related to personnel records, and is now covered by section 272 of such Title 10.

Section 1010, act July 9, 1952, ch. 608, Pt. II, § 259, 66 Stat. 498, related to dissemination of information, and is now covered by section 275 of such Title 10.

§ 1011. Records of persons participating in active and inactive duty training; report.

(a) Under such regulations as the Secretary of Defense shall prescribe, each military department of the Department of Defense shall cause to be prepared and maintained an accurate record of the number of members of each class of each reserve component who during each fiscal year have satisfactorily participated in (1) active duty for training, and (2) inactive duty training with pay.

(b) In January of each year the Secretary of Defense shall transmit to the President and to the Congress a report which shall contain an account of the status of training of each reserve component of the Armed Forces, and the progress made in the strengthening of the reserve components, during the preceding fiscal year. (July 9, 1952, ch. 608, pt. II, § 260, as added Aug. 9, 1955, ch. 665, § 2 (h), 69 Stat. 599.)

PART 8. SPECIAL ENLISTMENT PROGRAMS [New]

§ 1012. Enlistment in Reserve components; period of enlistment.

(a) Under such regulations as the appropriate Secretary shall prescribe, any person who is qualified for enlistment for active duty in the Army, Navy, Marine Corps, Air Force, or Coast Guard, and who has not been ordered to report for induction into the Armed Forces under the Universal Military Training and Service Act, may be enlisted in the Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, or Coast Guard Reserve, respectively, pursuant to the provisions of this section.

(b) Each enlistment under this section shall be for a period of six years. Each person so enlisted shall be required during such enlistment to perform—

(1) active duty for a period of two years;

(2) satisfactory service as a member of the Ready Reserve for a period which, when added to service rendered under paragraph (1) of this subsection, will total five years; and

(3) the remainder of such period of enlistment as a member of the Standby Reserve. (July 9, 1952, ch. 608, pt. II, § 261, as added Aug. 9, 1955, ch. 665, § 2 (i), 69 Stat. 600.)

REFERENCES IN TEXT

The Universal Military Training and Service Act, referred to in the text, is classified to sections 451—454, 455, 456 and 458—471 of Appendix to this title.

§ 1013. Enlistment in Ready Reserve—(a) Acceptance of enlistments; quota.

Until August 1, 1959, whenever the President determines that the enlisted strength of the Ready Reserve of the Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, or Coast Guard Reserve cannot be maintained at the level which he determines to be necessary in the interest of national defense, he may authorize the acceptance of enlistments in units of such Ready Reserve pursuant to the provisions of this section under regulations prescribed by the Secretary of Defense. Enlistments under this section may be accepted only within quotas (which quotas shall not exceed a total of 250,000 persons annually) prescribed by the

appropriate Secretary with the approval of the Secretary of Defense. No enlistment shall be accepted under this section in the Ready Reserve of any reserve component if such enlistment would cause the strength of such Ready Reserve to exceed the authorized strength of such Ready Reserve.

(b) Qualifications for enlistment.

Enlistments under this section may be accepted from persons who—

- (1) are physically and mentally qualified for service in the Armed Forces;
- (2) have not been ordered to report for induction into the Armed Forces under the Universal Military Training and Service Act; and
- (3) have not attained the age of eighteen years and six months.

In addition, the President, under such rules and regulations as he may prescribe, may authorize the enlistment under this section, without regard to the provisions of paragraphs (2) and (3) of this subsection, of persons who fulfill the requirements of paragraph (1) of this subsection and who have critical skills and are engaged in civilian occupations in any critical defense-supporting industry or in any research activity affecting national defense.

(c) Period of enlistment.

Each enlistment under this section shall be for a period of eight years. Each person so enlisted shall be required during such enlistment (1) to perform an initial period of active duty for training of not less than three months or more than six months, and (2) thereafter to perform satisfactorily all training duty prescribed by section 928 (f) of this title, except that (A) performance of such initial period of active duty for training by any person enlisted under this section while satisfactorily pursuing a course of instruction in a high school shall be deferred until such person ceases to pursue such course satisfactorily, graduates from such course, or attains the age of twenty years, whichever first occurs, and (B) persons specially enlisted because of their possession of critical skills may be relieved of any obligation to perform the training duty prescribed by section 928 (f) of this title. Each such person shall be deferred from training and service under the Universal Military Training and Service Act, as amended, so long as he continues to serve satisfactorily, as determined under regulations prescribed by the appropriate Secretary, and upon the completion of eight years of such satisfactory service pursuant to such enlistment shall be exempt from further liability for induction for training and service under such Act, except after a declaration of war or national emergency made by the Congress after August 9, 1955.

(d) Deleted. Apr. 23, 1956, ch. 209, § 1, 70 Stat. 115.

(e) National Security Training Commission; report to Congress; submission of recommendations to Secretary of Defense.

The National Security Training Commission shall advise the President and the Secretary of Defense, and shall report annually to the Congress, with respect to the welfare of persons performing periods of

active duty for training under clause (1) of subsection (c) of this section, but shall have no authority with respect to the military training of such persons during such periods. Within sixty days after August 9, 1955, the National Security Training Commission shall submit to the Secretary of Defense, a program containing recommendations for the personal safety, health, welfare, and morals of the members of the Ready Reserve while performing such active duty for training, including regulations concerning the dispensing of alcoholic beverages on training establishments, in conformity with the laws of the several States.

(f) Reemployment rights and benefits.

Any person who completes satisfactorily the period of active duty for training required of him by clause (1) of subsection (c) of this section during any enlistment pursuant to this section shall be entitled, upon application for reemployment within sixty days after (A) his release from such required period of active duty for training after satisfactory completion thereof, or (B) his discharge from hospitalization incident to such duty continuing after such release for a period of not more than six months, to all reemployment rights and benefits provided by section 459 of Appendix to this title for individuals inducted under the provisions of sections 451—454, 455, 456, and 458—471 of Appendix to this title, except that (1) any person so restored to a position in accordance with the provisions of this section shall not be discharged from such position without cause within six months after such restoration, and (2) no reemployment rights granted by this subsection shall entitle any person to retention, preference, or displacement rights over a veteran with a superior claim under the Veterans Preference Act of 1944, as amended. (July 9, 1952, ch. 608, pt. II, § 262 as added Aug. 9, 1955, ch. 665, § 2 (i), 69 Stat. 600, and amended Apr. 23, 1956, ch. 209, § 1, 70 Stat. 115.)

REFERENCES IN TEXT

The Universal Military Training and Service Act, referred to in subsecs. (b) and (c), is classified to sections 451—454, 455, 456, and 458—471 of Appendix to this title.

The Servicemen's Indemnity Act of 1951, as amended, referred to in subsec. (d), is classified to sections 851—858 of Title 38, Pensions, Bonuses, and Veterans' Relief.

The Veterans Preference Act of 1944, as amended, referred to in subsec. (f), is classified to chapter 17 of Title 5, Executive Departments and Government Officers and Employees.

AMENDMENTS

1956—Subsec. (d), providing pay, allowances, and benefits for performing active duty under subsec. (c) (1) of this section, was deleted by act Apr. 23, 1956.

EFFECTIVE DATE OF 1956 AMENDMENT

Deletion of subsec. (d) by act Apr. 23, 1956, as effective from Aug. 9, 1955. See note under section 1015 of this title.

CROSS REFERENCES

Training period for determining eligibility for benefits. See section 1015 of this title.

EX. ORD. NO. 10629. AUTHORIZATION ENLISTMENTS IN THE READY RESERVE

Ex. Ord. No. 10629, Aug. 15, 1955, 20 F. R. 5911, as amended by Ex. Ord. No. 10667, May 10, 1956, 21 F. R. 3141; Ex. Ord. No. 10677, Sept. 4, 1956, 21 F. R. 6625, provided:

"Whereas I have determined that the enlisted strength of the Ready Reserve of the Army Reserve, Marine Corps Reserve, Naval Reserve, Coast Guard Reserve, and Air Force Reserve cannot be maintained at the level necessary for the national defense:

"Now, therefore, by virtue of the authority vested in me by subsection (a) of section 262 of the Armed Forces Reserve Act of 1952 as added by section 2 (i) of the Reserve Forces Act of 1955 (69 Stat. 600) [this section], I hereby authorize the acceptance of enlistments in units of the Ready Reserve of the Army Reserve, Marine Corps Reserve, Naval Reserve, Coast Guard Reserve, and Air Force Reserve pursuant to the provisions of the said section 262 of the Armed Forces Reserve Act of 1952, as added as heretofore indicated, under such regulations as the Secretary of Defense shall prescribe."

DWIGHT D. EISENHOWER.

§ 1014. Release of volunteers from active duty; period of service in Ready Reserve; one year enlistments.

(a) Until July 1, 1957, the Secretaries of the Army, Navy, and Air Force with the approval of the Secretary of Defense (and the Secretary of the Treasury with respect to the United States Coast Guard) may provide by regulations, which shall be as nearly uniform as practicable, for the release from active duty in the Armed Forces prior to serving the periods for which inducted or enlisted, but in no case before serving a minimum of twelve months, of individuals who were on active duty in the Armed Forces on August 9, 1955 and who volunteer for transfer to units of the Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, or Coast Guard Reserve. Each such individual shall be required to participate in the Ready Reserve under the provisions of section 928 (f) of this title for a period which, when added to the period of his active duty, totals four years. The total number of individuals released from active duty under this subsection shall not exceed one hundred and fifty thousand annually.

(b) Until July 1, 1957, the Secretaries of the Army, Navy, and Air Force, with the approval of the Secretary of Defense (and the Secretary of the Treasury with respect to the United States Coast Guard) may accept enlistments in units of the Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, and Coast Guard Reserve for a period of one year from individuals released from active duty after August 9, 1955. Persons so enlisting shall be required during such enlistments to participate in the Ready Reserve under the provisions of section 928 (f) of this title. (July 9, 1952, ch. 608, pt. II, § 263, as added Aug. 9, 1955, ch. 665, § 2 (i), 69 Stat. 602.)

§ 1015. Training period, eligibility for benefits.

Notwithstanding any other provision of law, any person called or ordered to perform a period of active duty for training in excess of thirty days under authority of sections 961 (d) or 1013 (c) of this title, shall during such period be deemed to have been called or ordered into active naval or military service by the Federal Government for extended naval or military service in excess of thirty days for the purpose of determining eligibility for any benefit prescribed under Public Law 108, Eighty-first Congress (63 Stat. 201). (July 9, 1952, ch. 608, Pt. II,

§ 264, as added Apr. 23, 1956, ch. 209, § 2, 70 Stat. 115.)

REFERENCES IN TEXT

Public Law 108, Eighty-first Congress (67 Stat. 201), referred to in the text, is act June 20, 1949, ch. 225, 67 Stat. 201, and is classified to sections 855c-1, 855c-1 note, 855c-3, and 855c-4 of Title 34, Navy, sections 456, 456 note, 456-1 and 456-2 of Title 10, Army and Air Force, and sections 160a-160c of Title 32, National Guard.

EFFECTIVE DATE; RESTRICTION

Section 3 of act Apr. 23, 1956, provided that: "This Act [amending section 1013 of this title and adding this section] shall be effective from August 9, 1955: *Provided*, That no additional basic pay shall be paid to any member by reason of the enactment of this Act for any period prior to the first day of the calendar month [April] in which this Act is approved."

§ 1016. Lump-sum readjustment payment of involuntary release from active duty—(a) Computation; deductions.

A member of a reserve component who is involuntarily released from active duty after the enactment of this section and after having completed immediately prior to such release at least five years of continuous active duty, except for breaks in service of not more than thirty days, as either an officer, warrant officer, or enlisted person, is entitled to a lump-sum readjustment payment computed on the basis of one-half of one month's basic pay in the grade in which he is serving at the time of release from active duty for each year of active service ending at the close of the eighteenth year. For the purposes of computing the amount of readjustment payment (1) a part of a year that is six months or more is counted as a whole year, and a part of a year that is less than six months is disregarded, and (2) any prior period for which severance pay has been received under any other provision of law shall be excluded. There shall be deducted from any lump-sum readjustment payment any mustering-out pay received under the provisions of the Mustering-Out Payment Act of 1944 or the Veterans Readjustment Assistance Act of 1952.

(b) Persons not entitled to payment.

The following persons are not entitled to any payments under this section:

(1) A person who is released from active duty at his own request.

(2) A person who is released from active duty for training.

(3) Under regulations prescribed by the Secretary of Defense, or by the Secretary of the Treasury with respect to members of the Coast Guard when the Coast Guard is not operating as a service in the Navy, a person who is released from active duty because of moral or professional dereliction.

(4) A person who upon release from active duty is immediately eligible for retired pay, retirement pay, or retainer pay based entirely on his military service under any provision of law.

(5) A person who upon release from active duty is immediately eligible for severance pay based on his military service under any other provision of law. However, such a person may elect to receive either readjustment pay under this section or severance pay, but not both.

(6) A person who upon release from active duty is eligible for disability compensation under laws administered by the Veterans' Administration. However, such a person may elect to receive either readjustment pay under this section or disability compensation under laws administered by the Veterans' Administration, but not both. Election of readjustment pay shall not deprive a person of any disability compensation to which he may become entitled, on the basis of subsequent service, under laws administered by the Veterans' Administration.

(c) Other retirement benefits.

The acceptance of readjustment pay under this section shall not deprive a person of any retired pay, retirement pay, retainer pay, or other retirement benefits from the United States to which he would otherwise become entitled.

(d) Separation before qualification for retirement pay.

Under regulations prescribed by the appropriate Secretary, which regulations shall be as uniform as practicable, a member of a reserve component who is on active duty and is within two years of qualifying for retired pay, retirement pay, or retainer pay under any purely military retirement system, shall not be involuntarily separated from that duty before he qualifies for that pay unless his separation is approved by the appropriate Secretary.

(e) Election between readjustment and separation payment.

A member of a reserve component who on the effective date of this section is serving on active duty under an agreement authorized by section 963 of this title, and who is involuntarily released from active duty before completing his agreed term of service, may elect, in lieu of separation payment under that section, to receive readjustment pay under this section.

(f) Reduction by prior payments.

Any payments accruing to a person under this section shall be reduced by the amount of any payment previously received by that person under this section, unless he has already refunded the prior payment to the United States. If he has refunded the earlier payment, the period covered by the earlier payment shall be considered as a period for which no payment has been made under this Act.

(g) Mustering-out pay barred.

A person who receives readjustment pay under this section is not entitled to mustering-out pay under the Mustering Out Payment Act of 1944 or under the Veterans' Readjustment Assistance Act of 1952.

(h) Definition of "Involuntary release".

For the purpose of this section, the term "involuntary release" shall include release under conditions wherein a member of a reserve component, who has completed a tour of duty, volunteers for an additional tour of duty and the service concerned does not extend or accept the volunteer request of the member for the additional tour. (July 9, 1952, ch. 608, Pt. II, § 265, as added July 9, 1956, ch. 534, 70 Stat. 517.)

REFERENCES IN TEXT

The words "enactment of this section" referred to in subsec. (a), and "effective date of this section" referred to in subsec. (e), probably mean July 9, 1956.

The Mustering-Out Payment Act of 1944, referred to in subsecs. (a) and (g) is classified to chapter 11b of Title 38, Pensions, Bonuses, and Veterans Relief.

The Veterans' Readjustment Assistance Act of 1952, also referred to in subsecs. (a) and (g), is classified to sections 694, 694a, 694d, 694l, 694n, and 695f, and chapter 14 of said Title 38.

SUBCHAPTER III.—RESERVE COMPONENTS OF THE ARMY

§§ 1021—1024. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

Section 1021, act July 9, 1952, ch. 608, Pt. III, § 301, 66 Stat. 498, established the National Guard and Army Reserve as reserve components of the Army, and is now covered by section 3062 of Title 10, Armed Forces.

Section 1022, act July 9, 1952, ch. 608, Pt. III, § 302, 66 Stat. 498, redesignated the Organized Reserve Corps as the Army Reserve.

Section 1023, act July 9, 1952, ch. 608, Pt. III, § 303, 66 Stat. 498, related to the composition of the Army Reserve, and is now covered by section 3076 of Title 10, Armed Forces.

Section 1024, act July 9, 1952, ch. 608, Pt. III, § 304, 66 Stat. 498, related to women in the Army Reserve, and is now covered by section 3685 of such Title 10.

SUBCHAPTER IV.—RESERVE COMPONENTS OF THE NAVY, MARINE CORPS, AND COAST GUARD

§§ 1041—1053. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

Section 1041, act July 9, 1952, ch. 608, Pt. IV, § 401, 66 Stat. 498, established the Naval Reserve as the reserve component of the Navy, and is now covered by section 5251 of Title 10, Armed Forces.

Section 1042, act July 9, 1952, ch. 608, Pt. IV, § 402, 66 Stat. 498, established the Marine Corps Reserve as the reserve component of the Marine Corps, and is now covered by section 5252 of such Title 10.

Section 1043, act July 9, 1952, ch. 608, Pt. IV, § 403, 66 Stat. 498, provided that the Coast Guard Reserve is the reserve component of the Coast Guard, and is now covered by section 751a of Title 14, Coast Guard.

Section 1044, act July 9, 1952, ch. 608, Pt. IV, § 404, 66 Stat. 498, provided for integration of the Naval Reserve, and is now covered by section 5251 of such Title 10.

Section 1045, act July 9, 1952, ch. 608, Pt. IV, § 405, 66 Stat. 498, provided for integration of the Marine Corps Reserve, and is now covered by section 5252 of such Title 10.

Section 1046, act July 9, 1952, ch. 608, Pt. IV, § 406, 66 Stat. 499, provided for the integration of the Coast Guard Reserve, and is now covered by section 751a of Title 14, Coast Guard.

Section 1047, act July 9, 1952, ch. 608, Pt. IV, § 407, 66 Stat. 499, provided for a Naval Reserve Policy Board, a Marine Corps Reserve Policy Board, a Coast Guard Policy Board, and for membership on such boards, and is now covered by sections 5251 and 5252 of Title 10, Armed Forces, and section 753a of Title 14, Coast Guard.

Section 1048, act July 9, 1952, ch. 608, Pt. IV, § 409, 66 Stat. 499, authorized the Secretary of the Navy to prescribe a suitable flag to be known as the Naval Reserve flag, and provided the class of vessels which may fly such flag, and is now covered by section 7225 of such Title 10.

Section 1049, act July 9, 1952, ch. 608, Pt. IV, § 410, 66 Stat. 499, authorized the Secretary of the Navy to prescribe a Naval Reserve yacht pennant and enumerated the class of vessels which may fly such pennant, and is now covered by section 7226 of such Title 10.

Section 1050, act July 9, 1952, ch. 608, Pt. IV, § 411, 66 Stat. 499, related to appointment and duty of temporary

officers in the Naval Reserve and Marine Corps Reserve, and is now covered by section 5598 of such Title 10.

Section 1051, act July 9, 1952, ch. 608, Pt. IV, § 412, 66 Stat. 499, related to temporary members of the Coast Guard Reserve.

Section 1052, act July 9, 1952, ch. 608, Pt. IV, § 413, 66 Stat. 499, provided for a Retired Reserve, membership, pay, recall to active duty, and is now covered by sections 6150, 6327, and 6483 of such Title 10.

Section 1053, act July 9, 1952, ch. 608, Pt. IV, § 414, 66 Stat. 500, related to applicability of laws to women in the Naval Reserve, Marine Corps Reserve, and the Coast Guard Reserve, and is now covered by section 6033 of Title 10, Armed Forces, and section 762 (e) of Title 14, Coast Guard.

SUBCHAPTER V.—THE NAVAL MILITIA

§§ 1071—1074. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

Section 1071, act July 9, 1952, ch. 608, Pt. V, § 501, 66 Stat. 500, prescribed the composition of the Naval Militia, and is now covered by section 7851 of Title 10, Armed Forces.

Section 1072, act July 9, 1952, ch. 608, Pt. V, § 502, 66 Stat. 500, provided for the appointment and enlistment of militia members in the Naval Reserve or Marine Corps Reserve, and is now covered by section 7852 of such Title 10.

Section 1073, act July 9, 1952, ch. 608, Pt. V, § 503, 66 Stat. 500, provided for release from militia duty upon order to active duty in the service of the United States, and is now covered by section 7853 of such Title 10.

Section 1074, act July 9, 1952, ch. 608, Pt. V, § 504, 66 Stat. 500, related to availability of supplies and equipment, and is now covered by section 7854 of such Title 10.

SUBCHAPTER VI.—RESERVE COMPONENTS OF THE AIR FORCE

§§ 1091—1093. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

Section 1091, act July 9, 1952, ch. 608, Pt. VI, § 601, 66 Stat. 501, provided that the Air National Guard and the Air Force Reserve are reserve components of the Air Force, and is now covered by section 8062 of Title 10, Armed Forces.

Section 1092, act July 9, 1952, ch. 608, Pt. VI, § 602, 66 Stat. 501, provided for the composition of the Air Force Reserve, and is now covered by section 8076 of such Title 10.

Section 1093, act July 9, 1952, ch. 608, Pt. VI, § 603, 66 Stat. 501, related to women in the Air Force Reserve, and is now covered by section 1093 of such Title 10.

SUBCHAPTER VII.—THE NATIONAL GUARD OF THE UNITED STATES AND THE AIR NATIONAL GUARD OF THE UNITED STATES

§§ 1111—1124. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

Section 1111, act July 9, 1952, ch. 608, Pt. VII, § 701, 66 Stat. 501, provided that the National Guard and the Air National Guard are reserve components of the Army and the Air Force and is now covered by sections 3077 and 8077 of Title 10, Armed Forces.

Section 1112, act July 9, 1952, ch. 608, Pt. VII, § 702, 66 Stat. 501, related to the composition of the National Guard and the Air National Guard, and is now covered by sections 101, 3077, and 8077 of Title 10, Armed Forces, and section 101 of Title 32, National Guard.

Section 1113, act July 9, 1952, ch. 608, Pt. VII, § 703, 66 Stat. 502, related to Federal recognition and appointments, and is now covered by sections 3351 and 8351 of Title 10, Armed Forces, and sections 301, 307 of Title 32, National Guard.

Section 1114, act July 9, 1952, ch. 608, Pt. VII, § 704, 66 Stat. 502, related to the temporary extension of Federal

recognition to any officer of the National Guard or Air National Guard, and is now covered by sections 3351 and 8351 of Title 10, Armed Forces, and section 308 of Title 32, National Guard.

Section 1115, act July 9, 1952, ch. 608, Pt. VII, § 705, 66 Stat. 502, related to transfers from the Army Reserve or Air Force Reserve to the National Guard or Air National Guard, and is now covered by sections 3261, 3351, 8261, and 8351 of Title 10, Armed Forces, and section 307 of Title 32, National Guard.

Section 1116, act July 9, 1952, ch. 608, Pt. VII, § 706, 66 Stat. 503, related to transfers from the National Guard or Air National Guard to the Army Reserve or Air Force Reserve, and is now covered by sections 3259, 3352, 8259, and 8352 of Title 10, Armed Forces, and section 323 of Title 32, National Guard.

Section 1117, act July 9, 1952, ch. 608, Pt. VII, § 707, 66 Stat. 503, provided for automatic transfers, and is now covered by sections 3260, 3352, 8260, and 8352 of Title 10, Armed Forces.

Section 1118, act July 9, 1952, ch. 608, Pt. VII, § 708, 66 Stat. 503; Sept. 3, 1954, ch. 1257, title VII, § 702(e), 68 Stat. 1189, permitted warrant officers and enlisted members of the National Guard and of the Air National Guard of the United States to hold appointments as Reserve commissioned officers of the Army or of the Air Force, provided for determination of their status, and is now covered by sections 3354 and 8354 of Title 10, Armed Forces.

Section 1119, act July 9, 1952, ch. 608, Pt. VII, § 709, 66 Stat. 503, provided for training in State status, and is now covered by sections 3079, 3495, 8079, and 8495 of Title 10, Armed Forces.

Section 1120, act July 9, 1952, ch. 608, Pt. VII, § 710, 66 Stat. 503, provided for relief from National Guard duty when ordered to active duty, and is now covered by section 325 of Title 32, National Guard.

Section 1121, act July 9, 1952, ch. 608, Pt. VII, § 711, 66 Stat. 504, related to relief from liability for issued United States property, and is now covered by section 704 of Title 32, National Guard.

Section 1122, act July 9, 1952, ch. 608, Pt. VII, § 712, 66 Stat. 504, related to maintenance of integrity of units, and to return to State status, and is now covered by sections 3498, and 8498 of Title 10, Armed Forces, and sections 325 and 706 of Title 32, National Guard.

Section 1123, act July 9, 1952, ch. 608, Pt. VII, § 713, 66 Stat. 504, related to Federal status of personnel ordered to active duty, and is now covered by sections 3351, 3497, 8351, and 8497 of Title 10, Armed Forces.

Section 1124, act July 9, 1952, ch. 608, Pt. VII, § 714, 66 Stat. 504, related to benefits for members of the National Guard of the United States, and is now covered by sections 3686 and 8686 of Title 10, Armed Forces, and section 31a(a) of Title 37, Pay and Allowances.

§ 1125. Applicability of laws to female officers, their dependents and beneficiaries; determination of dependency.

Except as otherwise specifically provided, laws applicable to male officers and former officers of the National Guard of the United States or the Air National Guard of the United States, and to their dependents and beneficiaries apply in like cases to female Reserve officers and female former Reserve officers of the National Guard of the United States or the Air National Guard of the United States, respectively, and to their dependents and beneficiaries. The husband of the female member of the National Guard of the United States or the Air National Guard of the United States may not be considered a dependent unless he is in fact dependent on his wife for over half of his support, and the child of such a member may not be considered a dependent unless he is in fact dependent on his mother for

over half of his support. (July 9, 1952, ch. 608, Pt. VII, § 715, as added July 30, 1956, ch. 789, § 4 (b), 70 Stat. 729.)

Chapter 26.—GIFTS FOR DEFENSE PURPOSES [NEW]

Sec.

- 1151. Acceptance of gifts by Secretary of the Treasury and Administrator of General Services.
- 1152. Conversion of property into money.
- 1153. Special account for deposit of moneys.
- 1154. Payment to appropriation accounts.
- 1155. Consultation with Federal agencies.
- 1156. Construction with other provisions.

§ 1151. Acceptance of gifts by Secretary of the Treasury and Administrator of General Services.

To further the defense effort of the United States—

(a) the Secretary of the Treasury is authorized to accept or reject on behalf of the United States any gift of money or other intangible personal property made on condition that it be used for a particular defense purpose; and

(b) the Administrator of General Services is authorized to accept or reject on behalf of the United States any gift of other property, real or personal, made on condition that it be used for a particular defense purpose. (July 27, 1954, ch. 582, § 1, 68 Stat. 566.)

§ 1152. Conversion of property into money.

The Secretary of the Treasury may convert into money, at the best terms available, any such gift of intangible property other than money; and the Administrator of General Services may convert into money, at the best terms available, any such gift of tangible property, or transfer to any other Federal agency without reimbursement such property as he may determine usable for the particular purpose for which it was donated. (July 27, 1954, ch. 582, § 2, 68 Stat. 566.)

§ 1153. Special account for deposit of moneys.

There shall be established on the books of the Treasury a special account into which shall be deposited all money received as a result of such gifts. (July 27, 1954, ch. 582, § 3, 68 Stat. 566.)

§ 1154. Payment to appropriation accounts.

The Secretary of the Treasury, in order to effectuate the purposes for which gifts accepted under this chapter are made, shall from time to time pay the money in such special account to such of the various appropriation accounts as in his judgment will best effectuate the intent of the donors, and such money is appropriated and shall be available for expenditure for the purposes of the appropriations to which paid. (July 27, 1954, ch. 582, § 4, 68 Stat. 566.)

§ 1155. Consultation with Federal Agencies.

The Secretary of the Treasury and the Administrator of General Services shall consult with interested Federal agencies in carrying out the provisions of this chapter. (July 27, 1954, ch. 582, § 5, 68 Stat. 566.)

§ 1156. Construction with other provisions.

Nothing in this chapter shall be construed to modify or repeal the authority to accept conditional gifts under any other provision of law. (July 27, 1954, ch. 582, § 6, 68 Stat. 566.)

Chapter 27.—RESERVE OFFICER PERSONNEL PROGRAM [NEW]

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Sec.

- 1181. Definitions.
- 1182. Savings provisions.

SUBCHAPTER II.—RESERVE COMPONENTS GENERALLY

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- 1192. Eligibility for promotion; standards and qualifications for active status.
- 1193. Selection boards and other boards of officers.
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 - (b) Composition.
 - (c) Duration of service; consecutive boards.
 - (d) Quorum; oath of service; majority recommendations.
 - (e) Communications by officers eligible for promotion.
- 1194. Retention of officers with incomplete reserve service.
- 1195. Retention of officers with eighteen or more years of service.
- 1196. Advancement in grade on retirement or transfer to Retired Reserve.
- 1197. Grade on entry upon active duty.
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- 1199. Suspension of provisions in war or national emergency.
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- 1201. Grades of Reserve officers.
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- 1222. Definitions.
- 1223. Promotion procedures generally.
- 1224. Maximum grades for female officers.
- 1225. Constructive service credit.
 - (a) Initial appointment grade.
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PART 2.—NONUNIT OFFICERS

- 1231. Promotion to first lieutenant.
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 - (a) Consideration for promotion.
 - (b) Time for promotion.
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- 1233. Promotion to captain, major, and lieutenant colonel regardless of vacancies.
 - (a) Consideration for promotion.
 - (b) Female officers.
 - (c) Time for promotion.
 - (d) Change of status to nonunit officer.
 - (e) Increase of authorized numbers.
- 1234. Second consideration for promotion.
- 1235. Promotion to colonel and female field grades to fill vacancies.
- 1236. Promotion to brigadier general and major general to fill vacancies.